



COMMONWEALTH OF PENNSYLVANIA
OFFICE OF THE GOVERNOR
HARRISBURG

THE GOVERNOR

April 21, 2006

The Honorable Steven L. Johnson
Administrator
U.S. Environmental Protection Agency
Ariel Rios Building, 1101A
1200 Pennsylvania Avenue, N.W.
Washington, DC 20460

Dear Administrator Johnson:

I am writing to respectfully request that the U.S. Environmental Protection Agency (EPA) issue a "No Action Assurance" for the Reformulated Gasoline (RFG) requirements in the five-county Philadelphia area for two weeks or until such time as adequate supplies of complying gasoline are assured in the area. Given the information we have received to date on the impacts in Pennsylvania of the transition from "winterblend" gasoline to RFG and the rapid phase-out of methyl-tertiary butyl ether (MTBE) by refiners, we believe that the "No Action Assurance" is necessary to curtail and/or avoid temporary supply disruptions, fuel shortages, and their concomitant impact on consumers, refiners and the economy."

The five-county Philadelphia region (Bucks, Chester, Delaware, Montgomery and Philadelphia counties) of Pennsylvania comprise an area designated by the EPA as in nonattainment of the eight-hour ozone National Ambient Air Quality Standard (NAAQS). Consequently, use of RFG is mandated as an effective means to help achieve the health-based ozone NAAQS. Three major petroleum refineries in the Philadelphia area refine almost 700,000 barrels of crude oil daily into gasoline, diesel fuel and home heating oil, not only for the Commonwealth, but also for the entire Eastern coast of the United States. The Commonwealth believes that a "No Action Assurance" issued by EPA for the RFG program in the five-county Philadelphia area will allow Pennsylvania refineries, terminals and distributors the flexibility to provide critical fuels for suppliers unable to receive sufficient fuel during the critical transition substituting ethanol for MTBE, as prescribed under the Energy Policy Act of 2005.

We have information indicating that a major gasoline supplier in the Philadelphia area is reporting more than 160 delivery-needed alarms, and many more fuel outlets reporting that supplies are nearly exhausted. In light of the circumstances, the requested assurance is "clearly necessary to serve the public interest." Thank you for your immediate attention to this pressing matter. If you have additional questions about the effects of the fuel situation on Pennsylvania, please feel free to contact Dan Desmond, Deputy Secretary, Office of Energy and Technology

APR. 21. 2006 7:30PM

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Deployment, by phone at 717-783-0540 or by e-mail at ddesmond@state.pa.us, or Tom Fidler, Deputy Secretary, Waste, Air and Radiation Management, by phone 717-772-2725 or by e-mail tfidler@state.pa.us.

Sincerely,

Edward G. Rendell

Edward G. Rendell
Governor

Cc: Deb Failor